

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

VICTOR DILLON,

Plaintiff,

v.

OFFICER EDWARD L. BRYAN AND
OFFICER B. BURTON #15963,
Individually,

Defendant.

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JUDGE

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NOV 15 2000

JUDGE NORGL

COMPLAINT

MAGISTRATE JUDGE BOBRICK

NOW COMES the Plaintiff, VICTOR DILLON, by and through his attorneys, GREGORY E. KULIS AND ASSOCIATES, and complaining against the Defendants, EDWARD L. BRYAN and B. BURTON #15963, Individually as follows:

COUNT I – EXCESSIVE FORCE

- 1) This action is brought pursuant to 42 U.S.C. §1983 and §1988 of the United States Constitution and the laws of the State of Illinois;
- 2) Jurisdiction is invoked under 28 U.S.C. §1331 and §1343;
- 3) The Plaintiff, VICTOR DILLON, was at all relevant times, a resident of the State of Illinois, County of Cook;
- 4) The Defendants were at all relevant times acting as police officers pursuant to the customs and policies of the City of Chicago;
- 5) At all relevant times the Defendants were acting under color of law;
- 6) On or about August 1, 2000, the Plaintiff was in the vicinity of 3544 S. State when the Defendants stopped him.
- 7) The Plaintiff, VICTOR DILLON was not committing a crime or breaking

U.S. DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
FILED - USA
NOV 14 2000
9:56 AM
Case No. 00-cv-07145

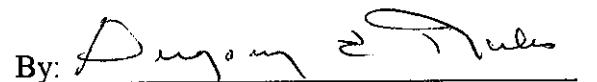
any laws at the time.

- 8) Without provocation, the Defendants struck him in the face.
 - 9) The force used was unprovoked, unnecessary and excessive;
 - 10) As a result of the actions of the Defendants, the Plaintiff incurred pain, suffering, fear, anxiety, monetary loss and a permanent scar.
 - 11) Said actions of the Defendants violated Plaintiff, VICTOR DILLON'S Fourth and Fourteenth Amendment Rights of the United States Constitution and were in violation of said rights protected by 42 U.S.C. § 1983;
 - 12) The actions of the Defendants were intentional, willful and wanton.
- WHEREFORE, the Plaintiff, VICTOR DILLON, prays for judgment in his favor and against the Defendants, in the amount of THIRTY THOUSAND AND 00/100 (\$30,000.00) DOLLARS compensatory damages and TWENTY THOUSAND AND 00/100 (\$20,000.00) DOLLARS in punitive damages, plus reasonable attorneys' fees and costs.

JURY DEMAND

The Plaintiff, VICTOR DILLON, hereby requests trial by jury.

Respectfully submitted,
VICTOR DILLON

By: 
GREGORY E. KULIS AND ASSOCIATES
Attorneys for the Plaintiff

GREGORY E. KULIS AND ASSOCIATES
30 North LaSalle Street, Suite 2140
Chicago, Illinois 60602
(312) 580-1830

JS 44
(Rev. 12/96)

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

JUDGE NORGLÉ

VICTOR DILLON

MAGISTRATE JUDGE RONNIE

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF Cook
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) ATTORNEYS (FIRM NAME, ADDRESS AND TELEPHONE NUMBER)

GREGORY E. KULIS & ASSOCIATES
30 N. LaSalle Street, Suite 2140
Chicago, Illinois 60602DOCKETED
NOV 5 2000

DEFENDANTS

OFFICER EDWARD L. BRYAN AND
OFFICER B. BURTON #15963.COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT Cook
(IN U.S. PLAINTIFF CASES ONLY)
NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE
TRACT OF LAND INVOLVED.

ATTORNEYS (IF KNOWN)

Leaf 2.

II. BASIS OF JURISDICTION (PLACE AN "X" IN ONE BOX ONLY)

- | | |
|--|--|
| <input type="checkbox"/> 1 U.S. Government Plaintiff | <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) |
| <input type="checkbox"/> 2 U.S. Government Defendant | <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III) |

III. CITIZENSHIP OF PRINCIPAL PARTIES (PLACE AN "X" IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)
(For Diversity Cases Only)

	PTF	DEF	PTF	DEF
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4 <input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5 <input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6 <input type="checkbox"/> 6

IV. ORIGIN (PLACE AN "X" IN ONE BOX ONLY)

- | | | | |
|---|---|--|---|
| <input checked="" type="checkbox"/> 1 Original Proceeding | <input type="checkbox"/> 2 Removed from State Court | <input type="checkbox"/> 3 Remanded from Appellate Court | <input type="checkbox"/> 4 Reinstated or Reopened |
|---|---|--|---|

Transferred from
□ 5 another district (specify)

□ 6 Multidistrict Litigation

Appeal to District Judge from
□ 7 Magistrate Judgment

V. NATURE OF SUIT (PLACE AN "X" IN ONE BOX ONLY)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> PERSONAL INJURY	<input type="checkbox"/> 610 Agriculture	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 400 State Reapportionment
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 620 Other Food & Drug	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	PROPERTY RIGHTS	<input type="checkbox"/> 430 Banks and Banking
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 635 Personal Injury - Product Liability	<input type="checkbox"/> 820 Copyrights	<input type="checkbox"/> 450 Commerce/ICC Rates/etc.
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 330 Federal Employers' Liability	<input type="checkbox"/> 638 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 830 Patent	<input type="checkbox"/> 460 Deportation
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 640 Other Fraud	<input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans)	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 650 Airline Regs.	SOCIAL SECURITY	<input type="checkbox"/> 810 Selective Service
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 660 Occupational Safety/Health	<input type="checkbox"/> 861 HIA (1935M)	<input type="checkbox"/> 850 Securities/Commodities/ Exchange
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 669 Other	<input type="checkbox"/> 862 Black Lung (923)	<input type="checkbox"/> 875 Customer Challenge 12 USC 3410
<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 670 Fair Labor Standards Act	<input type="checkbox"/> 863 DiWC/DIWV (405(g))	<input type="checkbox"/> 891 Agricultural Acts
<input type="checkbox"/> 195 Contract Product Liability		<input type="checkbox"/> 672 Labor/Mgmt Relations	<input type="checkbox"/> 864 SSID Title XV	<input type="checkbox"/> 892 Economic Stabilization Act
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS	<input type="checkbox"/> 673 Labor/Mgmt Reporting & Disclosure Act	<input type="checkbox"/> 865 RS (405(g))
<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 674 Railway Labor Act	FEDERAL TAX SUITS	<input type="checkbox"/> 893 Environmental Matters
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 679 Other Labor Litigation	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)	<input type="checkbox"/> 894 Energy Allocation Act
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 443 Housing/ Accommodations	<input type="checkbox"/> 680 Empl. Ret. Inc Security Act	<input type="checkbox"/> 871 IRS - Third Party 26 USC 7609	<input type="checkbox"/> 895 Freedom of Information Act
<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 444 Welfare			<input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice
<input type="checkbox"/> 245 Tort Product Liability	<input checked="" type="checkbox"/> 440 Other Civil Rights			<input type="checkbox"/> 950 Constitutionality of State Statutes
<input type="checkbox"/> 290 All Other Real Property				<input type="checkbox"/> 890 Other Statutory Actions

VI. CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE BRIEF STATEMENT OF CAUSE
DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

VIOLATION OF 42 U.S.C. Section 1983

VII. REQUESTED IN COMPLAINT

CHECK IF THIS IS A CLASS ACTION
 UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint
JURY DEMAND: YES NO

VIII. This case

 is not a resiling of a previously dismissed action. is a resiling of case number _____ previously dismissed by Judge _____

DATE

11/14/00

SIGNATURE OF ATTORNEY OF RECORD

D. Dillon

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

In the Matter of VICTOR DILLON,
Plaintiff,

v.
OFFICER EDWARD L. BRYAN AND OFFICER
B. BURTON #15963, Individually,
Defendants.

APPEARANCES ARE HEREBY FILED BY THE UNDERSIGNED AS ATTORNEY(S) FOR:

Victor Dillon

Case Number

00C 7145

DOCKETED

JUDGE NORGL

NOV
15 2000

MAGISTRATE/JUDGE BOBRICK
(B)

(A)		MAGISTRATE/JUDGE BOBRICK (B)	
<p>SIGNATURE <i>Dugay & Rule</i></p> <p>NAME Gregory E. Kulis</p> <p>FIRM Gregory E. Kulis and Associates</p> <p>STREET ADDRESS 30 N. LaSalle Street, Suite 2140</p> <p>CITY/STATE/ZIP Chicago, Illinois 60602</p> <p>TELEPHONE NUMBER 312/580-1830</p> <p>IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE) state of Illinois 6180966</p> <p>MEMBER OF TRIAL BAR? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/></p> <p>TRIAL ATTORNEY? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/></p>		<p>SIGNATURE <i>Kathleen Coyne Ropka</i></p> <p>NAME Kathleen Coyne Ropka</p> <p>FIRM Gregory E. Kulis and Associates</p> <p>STREET ADDRESS 30 N. LaSalle Street, Suite 2140</p> <p>CITY/STATE/ZIP Chicago, Illinois 60602</p> <p>TELEPHONE NUMBER 312/580-1830</p> <p>IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE)</p> <p>MEMBER OF TRIAL BAR? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>TRIAL ATTORNEY? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>DESIGNATED AS LOCAL COUNSEL? YES <input type="checkbox"/> NO <input type="checkbox"/></p>	
(C)		(D)	
<p>SIGNATURE <i>Shehnaz Mansuri</i></p> <p>NAME Shehnaz I. Mansuri</p> <p>FIRM Gregory E. Kulis and Associates</p> <p>STREET ADDRESS 30 N. LaSalle Street, Suite 2140</p> <p>CITY/STATE/ZIP Chicago, Illinois 60602</p> <p>TELEPHONE NUMBER 312/580-1830</p> <p>IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE)</p> <p>MEMBER OF TRIAL BAR? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>TRIAL ATTORNEY? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>DESIGNATED AS LOCAL COUNSEL? YES <input type="checkbox"/> NO <input type="checkbox"/></p>		<p>SIGNATURE</p> <p>NAME</p> <p>FIRM</p> <p>STREET ADDRESS</p> <p>CITY/STATE/ZIP</p> <p>TELEPHONE NUMBER</p> <p>IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE)</p> <p>MEMBER OF TRIAL BAR? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>TRIAL ATTORNEY? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>DESIGNATED AS LOCAL COUNSEL? YES <input type="checkbox"/> NO <input type="checkbox"/></p>	

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